

AMENDMENT TO RULES COMMITTEE PRINT

118–10

OFFERED BY MR. TORRES OF NEW YORK

Add at the end of subtitle C of title XVIII the following:

1 **SEC. 18____. PROHIBITION ON THE USE OF CERTAIN FINAN-**
2 **CIAL SERVICE APPLICATIONS ON GOVERN-**
3 **MENT PHONES.**

4 (a) PROHIBITION.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, the Di-
7 rector of the Office of Management and Budget, in
8 consultation with the Administrator of General Serv-
9 ices, the Director of the Cybersecurity and Infra-
10 structure Security Agency, the Director of National
11 Intelligence, and the Secretary of Defense, and con-
12 sistent with the information security requirements
13 under subchapter II of chapter 35 of title 44, United
14 States Code, shall develop standards and guidelines
15 for executive agencies requiring the removal of any
16 covered application from information technology.

1 (2) EXCEPTIONS.—The standards and guide-
2 lines developed under paragraph (1) shall include
3 the following:

4 (A) Exceptions for law enforcement activi-
5 ties, national security interests and activities,
6 and security researchers.

7 (B) For any authorized use of a covered
8 application under an exception, requirements
9 for agencies to develop and document risk miti-
10 gation actions for such use.

11 (C) An exception that allows financial reg-
12 ulators to test the covered application for com-
13 pliance or other purposes in accordance with
14 any requirement from the national security
15 agencies, including the Department of Home-
16 land Security, the Department of Defense, and
17 the Central Intelligence Agency, that ensures
18 the covered application is not able to access in-
19 formation from the financial regulator.

20 (b) DEFINITIONS.—In this section:

21 (1) COVERED APPLICATION.—

22 (A) IN GENERAL.—The term “covered ap-
23 plication” means any financial service applica-
24 tion domiciled in a jurisdiction controlled by the
25 Chinese Communist Party or controlled by an

1 entity domiciled in a jurisdiction controlled by
2 the Chinese Communist Party.

3 (B) CONTROLLED DEFINED.—In this para-
4 graph, “controlled” means any entity with at
5 least a 10 percent voting interest.

6 (2) EXECUTIVE AGENCY.—The term “executive
7 agency” has the meaning given that term in section
8 133 of title 41, United States Code.

9 (3) INFORMATION TECHNOLOGY.—The term
10 “information technology” has the meaning given
11 that term in section 11101 of title 40, United States
12 Code.

